IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.1109 OF 2007

Mahmood A. Poonawala .... Applicant
Vs.
State of Maharashtra & Ors. .... Respondents

Shri Rajan Salvi, Advocate (appointed)
for the Applicant/Accused.

Shri M.S. Mhambre, APP, for the State.

CORAM: R.M.S. KHANDEPARKAR &
Smt. ROSHAN DALVI, JJ.

DATED: JULY 27, 2007

P.C:

1. Heard the learned Advocate for the applicant/accused and Shri M.S. Mhambre, APP, for the State.

2. This is an application by the applicant seeking an order for release on parole leave on the ground that his mother requires operation. The medical certificates which are produced clearly disclose that in July, 2006 one Dr. Sayyad Anwar Ali had certified that Mrs. Hazra A. Poonawalla needed to undergo Hystectory operation, whereas the medical certificate issued by the Superintendent of Sassoon General Hospital, Pune on 12th September, 2006 certifies that Smt. Hajara A. Poonawalla was examined by him and requires treatment and follow-up and it does not disclose any requirement

of operation as such. Therefore, in the absence of any requirement of operation, question of releasing the applicant on parole does not arise. No other ground is disclosed for claim of parole leave. Besides, the applicant has been convicted under the provisions of the NDPS Act. In the circumstances, the application is rejected and stands disposed of.

(Smt.Roshan Dalvi, J.) (R.M.S.Khandeparkar, J.)

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